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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ELECTRONIC FRONTIER FOUNDATION,	)	NO. C 07-5378 EMC
	)	
Plaintiff,	)	<b>APPLICATION FOR ORDER</b>
	)	<b>SHORTENING TIME FOR HEARING</b>
v.	)	<b>ON PLAINTIFF'S MOTION FOR</b>
	)	<b>PRELIMINARY INJUNCTION</b>

OFFICE OF THE DIRECTOR OF NATIONAL	)	
INTELLIGENCE,	)	Courtroom:
	)	
Defendant.	)	
	)	
	)	
	)	

TO THE UNITED STATES DISTRICT COURT, THE OFFICE OF THE DIRECTOR OF  
NATIONAL INTELLIGENCE, AND ITS ATTORNEYS OF RECORD:

Plaintiff Electronic Frontier Foundation ("EFF") hereby respectfully applies for an order  
shortening time for a hearing on its concurrently filed motion for preliminary injunction against

1 Defendant, the Office of the Director of National Intelligence (“ODNI”). This is a Freedom of  
2 Information Act (“FOIA”) case seeking documents about telecommunications companies' lobbying  
3 campaign to amend U.S. foreign intelligence surveillance law, particularly lobbying for changes  
4 that would hold telecommunications carriers unaccountable for their cooperation in widespread and  
5 illegal government surveillance. This matter of critical importance is currently under consideration  
6 in Congress. ODNI has conceded that Plaintiff is entitled to expedited processing of the requested  
7 documents, which means that the agency should have finished processing the requests within 20  
8 working days of receipt. However, ODNI has released no documents as of this filing.

9 Plaintiff seeks shortened time because a swift hearing on the issue of whether EFF is  
10 entitled to the requested records is necessary to ensure that the public and lawmakers can consider  
11 documents relevant to the public debate over this legislation before the final congressional vote.  
12 An order compelling the timely processing and release of these documents is critical because the  
13 information requested is directly relevant to understanding ODNI’s role in lobbying on behalf of  
14 telecommunications providers for legislation that is designed to force the dismissal of lawsuits  
15 against providers, more than 40 of which are currently pending before this Court. While ODNI  
16 stonewalls EFF’s lawful FOIA requests, Congress continues to consider the legislation demanded  
17 by the Director of National Intelligence. EFF and the public deserve to know about contacts and  
18 connections between ODNI and telecom lobbyists *before* any legislation granting a get-out-of-jail-  
19 free card becomes law. Because time is at the essence of both EFF’s rights and ODNI’s  
20 obligations, EFF respectfully requests entry of an order shortening time for the Court to hear this  
21 matter.

22 This application to shorten time is brought pursuant to the Court's inherent power to control  
23 its calendar and the power to shorten time to hear motions under Fed. R. Civ. P. 6(d). Plaintiff asks  
24 this court for expedited scheduling based upon this Application to Shorten Time, the Declaration of  
25 Marcia Hofmann in support of this application, the Proof of Service Declaration of Marcia  
26 Hofmann and its exhibits, the accompanying Notice of Motion for Preliminary Injunction, Motion  
27 for Preliminary Injunction, its supporting papers, and the Court's file herein. Defendant has  
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1 indicated that it will not consent to the assignment of this case to Magistrate Judge Chen.  
2 Therefore, we respectfully ask that the case be promptly reassigned, and that the Court schedule a  
3 hearing on the Motion for Preliminary Injunction on November 20, 2007, or as soon thereafter as is  
4 practicable.

5 By                     /s/                      
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